

I am Quentin Kessel of 97 Codfish Falls Road, Mansfield.

First I would like to express appreciation for the effort the current revision makes to grandfather existing conditions, thank you. However, I would like to see some wording in that part deleted.

What concerns me is the possible referral back to Item 4 in section 6D which the current grandfathering statement might allow, in effect defeating the provision.

Item 4 reads: "Parking spaces shall be designed so that a backing up movement onto an adjacent street is not required." This is well and good if one is in the process of designing parking spaces. Even though it is not illegal to back onto a street, it is certainly best to avoid backing out of a driveway. In the case of the house at 53 Codfish Falls Road, which we recently bought for a rental investment, the parking is sandwiched between the house and the road, and the garage sits only about 8 or 10 feet from the paved surface (it was probably further before they widened and paved the road). One is forced to either back from the road into the parking space (which I do, traffic permitting) or back onto the road when leaving.

I am urging you to drop the words, "...would result in an unsafe situation or one that..." from the grandfathering statement in Section 8. Safety is addressed elsewhere in this ordinance. This deletion would not only address our problem, but would remove the ambiguity of interpreting what an "unsafe situation" is. An enforcement officer might use the current wording and the danger inherent in backing onto a road to deny us a permit. Many of us live with safety concerns that an enforcement officer might apply inappropriately to defeat the purpose of the grandfathering section, for example, an existing driveway with poor sightlines might be denied a permit.



UNDERGRADUATE STUDENT GOVERNMENT
THE UNIVERSITY OF CONNECTICUT

SS(4) S10 1/2

**Statement of Position Regarding
"An Ordinance of Off Street Parking on Residential Rental Property"**

WHEREAS, the town of Mansfield has proposed an ordinance regarding "Off Street Parking on Residential Rental Property";

WHEREAS, according to Section 3 of the ordinance: "unsafe, blighted, congested conditions and other negative neighborhood impacts within the Town" is achieved through the application of designated on-site parking areas;

WHEREAS, the proposal creates economic hardship by requiring landlords to implement costly changes to meet new ordinance requirements;

WHEREAS, it is likely that these new costs will be passed on to tenants of those properties, including University of Connecticut students;

WHEREAS, enforcement of this ordinance is not clearly defined;

WHEREAS, this ordinance unfairly restricts parking to pre-designated parking spaces, failing to take special events such as graduation and family weekends or circumstances such as medical needs and emergency situations into account;

WHEREAS, such conditions may deter future landlords renting out properties to students, diminishing rental competition and further limiting rental options for students;

WHEREAS, the location of the designated Rental Certification Zone is a primarily student residential area whereby individuals with particular and similar living styles reside;

WHEREAS, this ordinance only applies to "residential rental properties, particularly those with one, two or three dwelling units" in the designated Rental Certification Zone, thereby unfairly targeting students and low-income families;

THEREFORE BE IT RESOLVED, the University of Connecticut Undergraduate Student Government finds that the proposed ordinance regarding "Off Street Parking On



UNDERGRADUATE STUDENT GOVERNMENT
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SS(4)S10 2/2

Residential Property" is not only detrimental to students, but the Town of Mansfield as a whole.

BE IT FINALLY RESOLVED, that the University of Connecticut Undergraduate Student Government opposes the passage and implementation of "An Ordinance Regarding Off Street Parking on Residential Rental Property."

Date of Passage: 31 March 2010

Certified:

Enacted:

Krista D'Amelio
Speaker of the Senate
31 March 2010

Thomas Haggerty
President of the Student Body
31 March 2010

4-26-2010

Statement to Town Council: Ordinance Regarding Off Street Parking On Residential Rental Property

The current draft of this ordinance is slightly improved from the original. But, its most significant problems still remain.

The "50% ownership" clause can only serve to discourage homeownership in town, as it subjects owner-occupants to new regulations that they would not face in any other town. There are many legitimate reasons why an owner-occupant might own a minority share in his/her home. This clause would unfairly subject them to extreme parking regulations in order to help solve a supposed "problem" with minority interest ownership that has not even been properly framed or quantified. Isn't the point to encourage homeownership?

The parking requirements set forth in Section 6 are unreasonable. For example, how many of us don't back out of our driveways on a daily basis? Has my lack of permanent parking barriers been a health/safety risk for all of my 10+ years in town? These extreme requirements are unnecessary to address health/safety/blight issues or to maintain property values, as cited by the PZC.

This draft would set a new precedent for ticketing on private property. When voting to hold this hearing, Councilor Kochenberger commented that the intent is to regulate rental properties like "other businesses." To my knowledge there is no precedent even for ticketing on private business properties, much less residential property. While I don't currently own property that would be subject to this ordinance, I find its encroachment on private property rights to be rather spooky and distasteful. Its enforcement will be highly problematic. Enforcers prowling around private residences at whatever hour of the evening will cause conflict unfitting for our generally harmonious rural town. Its unnecessary encroachment on people's (both landlords and tenants) constitutional rights to enjoy their property is a liability to the town, as it would likely invite legal challenge.

Personally, I agree that there are ugly parking situations at certain properties: both rentals and non-rentals. I am not opposed to a parking ordinance, in principle. But, this draft is extreme. The problems that it is intended to solve and that both the PZC and Quality of Life Committee have acknowledged, can be solved with much more moderate requirements. For example, simply ticketing cars that actually encroach on bikeways or other public property and simply requiring any cars to be parked on suitable surfaces would adequately address the issues. Landlords will not tend to create unnecessarily large parking areas of their own accord, due to the expense. I urge you to reject the extreme measures listed in this draft and vote this ordinance down or send it for real and earnest changes.

Jake Friedman, Northwood Road

Discretion, Judgment abuse

April 26, 2010

To: Town Council
From: Betty Wassmundt

Public Hearing – Parking Ordinance.

*eliminate
50% share referred Corp, LLC, other legal entity*
Re Section 5: Consider that I own a dwelling in which I reside. I own said property as tenants in common with my brother. He does not reside in this dwelling. I own a 40% share and my brother owns a 60% share. If I go to Florida for 6 months and rent my home for that period, are you going to make me construct a parking lot on the property? Section 5 should be deleted. Vote NO for this ordinance.

Re Section 8: Remember you are passing a LAW. As such it should be fair, just and equitable. This ordinance gives decision making powers about varying the terms of this law to a town employee. This opens the door for abuse. Consider that I own a rental property and have to comply with all of the law's conditions; especially consider that there may be room for varying these conditions. Can you really believe that I would be given the same consideration as say Greg Haddad would, given that circumstances with the property were the same?

Remember: you are doing this ordinance so as to improve possibly 25 properties in town. This ordinance impacts everyone in town, possibly even you. Perhaps you or your heirs may have to rent your property for a while. Then your property will have to be in compliance. Imagine that you suddenly died and your heirs had to rent your home. Would you want them to have to go through all of this? Think about this in terms of your own property.

Also, everyone in town is paying the bill for the Housing Inspection ordinance and will pay for this new ordinance yet you have set out to address a problem with but about 25 properties. Does it make sense?

Sara-Ann Chainé

Item #9

From: Mary L. Stanton
Sent: Monday, April 19, 2010 4:14 PM
To: Sara-Ann Chainé
Subject: FW: Town Clerk
From: Joe Soltys [mailto:jjsoltys@gmail.com]
Sent: Monday, April 19, 2010 4:00 PM
To: Mary L. Stanton
Subject: Re: Town Clerk

Unable to attend meeting of the town Council, please submit the following to the Council on my behalf:

RE: Motion to coonsider alterations to housing code.

RE: Motion to consider parking regulations on private property.

Since these are subtle attempts to regulate UConn students living off campus where there seems to be obvious lack of enforcement, I conider both of the motions to be frivolous and I motion they be tabled without further discussion.

Joseph J. Soltys. 2 Lynwood Rd. Storrs-Mansfield

**Town Manager's Office
Town of Mansfield**

Memo

To: Town Council
From: Matt Hart, Town Manager *M. H.*
CC: Town Employees
Date: April 26, 2010
Re: Town Manager's Report

Below please find a report regarding various items of interest to the Town Council, staff and the community:

Budget and Finance

- *FY 2010/11 Budget* – Last week the Town Council adopted a Proposed FY 2010/11 Operating Budget as well as Proposed Capital Fund and Capital and Nonrecurring Fund (CN&R) Budgets for consideration by the voters at the Annual Town Meeting for Budget Consideration. The Annual Town Meeting will be held at 7:00 PM on May 11, 2010 at the Mansfield Middle School Auditorium. Interested residents are encouraged to see the Town's [website](#) for budget-related information. Regional School District #19 will hold its budget referendum on May 4, 2010; polls will be open from 6:00 AM – 8:00 PM.

Council Requests for Information/Council Business

- *Chronicle Editorial* – Please see item 26 in tonight's packet, an editorial regarding the Mansfield-Tolland probate court district. I did send a note to the editor explaining that the initial recommendation of the chief executive officers from the four towns was to maintain the existing probate courts in Mansfield and Tolland, with the new judge splitting his/her time between the two locations. The probate court administration did not support this recommendation.
- *Regionalism Committee* – On April 16, 2010, the Council's Regionalism Committee met with representatives from the Town of Windham to discuss regional issues and concerns, including potential opportunities for shared services. We had a productive meeting and decided to investigate the feasibility of establishing a regional collaborative to provide shared services – staff will research this concept and discuss with appropriate stakeholders such as the Windham Region Council of Governments (WINCOG) and local universities that may be able to provide some assistance to this effort. Staff intends to report back to the group in late May.

Departmental/Division News

- *Human Services*
 - The Department of Human Services received a \$50,000 grant from the William Caspar Graustein Foundation to implement Mansfield's Plan for Young Children. This was a very competitive grant award process, with 9 other communities in the state receiving implementation grants.
 - The Tri-Town Coalition to Reduce Underage Drinking hosted a town hall meeting on underage drinking at E.O. Smith High School on April 15. The coalition was started through a grant from the Dept. of Mental Health and Addiction Services that is managed by the Dept. of Human Services. The event was part of a nationwide initiative funded by the Substance Abuse and Mental Health Systems Administration (SAMHSA).
 - On April 13, 2010 the Mansfield Advocates for Children (MAC) partnered with the Mansfield League of Women Voters to host a successful community forum on the new elementary school building project. I would like to thank both MAC and the League of Women Voters for sponsoring this forum, which I believe attendees found informative.

- o The Mansfield Youth Service Bureau is proud to announce that Ethel Mantzaris has been awarded the "Volunteer with Youth Award" for 2010. Ethel has been a tireless advocate for youth since early 1970. She has served on the Board of Perception Programs, Inc. in Willimantic since its inception and currently serves as its President. She is a past President of Altrusa International of Northeastern Connecticut; Altrusa is a service network of women in this region that advocates for women, youth and others in need, through its fundraising and volunteer efforts. In addition, Ethel has served on the Youth Service Bureau Advisory Board for a number of years and is presently the chair. She is diligent and resourceful in her advocacy activities and has touched the lives of many Mansfield families and their children.
- *Mansfield Public Library*
 - o Come hear Diane Postioan, storyteller and comedian, in the Buchanan Auditorium on April 30th at 7pm and enjoy a ladies' night out! When Diane performs a story, she turns it into a one-woman play. Diane will tell a couple of folk tales and regale the crowd with outrageous, comedic stories about dating in NY in the '80's. This interactive performance will have everyone laughing out loud as Diane shares stories of great perseverance and deep embarrassment. A hilarious and moving program, it will be entertaining and inspiring for all in attendance. This program is free and open to the public. Light refreshments will be served.
- *Public Safety*
 - o On April 1, 2010, the Statewide Narcotic Task Force - East Field Office assisted by the Mansfield Resident Troopers Office & State Police, Troop C-Tolland executed a narcotic related search warrant at *The Skeleton's Closet Novelty Shop* in Mansfield. Information was developed that quantities of marijuana and illicit controlled substances were being stored and sold at the business on a routine basis. The search warrant led to the arrest of one individual and resulted in the seizure of approximately 45 grams of marijuana, approximately 65 units of scheduled IV controlled substances, \$335.00 US Currency, numerous items of drug paraphernalia consisting of digital scales, packaging material and other related items.

Major Projects and Initiatives

- *CL&P Interstate Reliability Project Update* - Mr. Anthony Mele of Connecticut Light and Power Company recently contacted the Town Manager's Office and provided the following update regarding the Interstate Reliability Project and planned transmission line expansion through eastern Connecticut, Rhode Island and Massachusetts.
 - o ISC-NE is in the process of updating an assessment of need for the New England region. This update is expected to be completed by mid-year 2010. CL&P's planned application to the Connecticut Siting Council will not be filed until this reassessment of need is completed.
 - o CL&P will provide Mansfield representatives an update on next steps once the reassessment of need is completed.
 - o Engineering and environmental assessments, archeological reviews and survey work is continuing along the utility corridor in eastern Connecticut. Property owners along the corridor are being provided quarterly post card notifications.

Member Organizations

- *Mansfield Downtown Partnership*
 - o On April 28th at 7pm in the Council Chambers of the Audrey P. Beck Building, the Mansfield Downtown Partnership, Inc., together with key Storrs Center team members from the Town of Mansfield, University of Connecticut and Storrs Center master developer LeylandAlliance will hold an update on the Storrs Center downtown project and associated projects. Over the last several months, much progress has been made on Storrs Center including work on the Storrs Road improvements and securing several letters of intent for the first phase of the project. The April 28 information session will provide the opportunity for an update on all critical aspects of this important project.

- On April 22nd, the 40th anniversary of Earth Day, the CT DEP released a movie highlighting the state's environmental successes and challenges as it moves forward. In response to a presentation that Town Planning Director Gregory Padick, and Mansfield Downtown Partnership Executive Director Cynthia van Zelm gave to DEP's Municipal Climate Change conference last month, CT DEP staff contacted Cynthia about using some of the Storrs Center design guidelines and renderings as part of the smart growth advocacy section in the movie. The movie was released and shown at Earth Day events at the State Capitol and at the Legislative Office Building in Hartford. The movie is 18 minutes long and can be accessed off of the DEP website. It will be available to local libraries, non-profits, and local cable stations.
- *Windham Chamber of Commerce* – Tomorrow evening, as part of the Windham Region Chamber of Commerce Annual Award ceremony, Mayor Paterson will recognize Storrs Family Dentistry and Doctors Jim Raynor, Louis Cano and Matt Raynor as Mansfield's *Business of the Year*. The practice was selected for this honor due its long history of community service, including the promotion of youth athletics and the assistance that it has provided to Mansfield's youth service program.

Miscellaneous

- *Passing of Dolly H.R. Whitham* – I wish to express my sadness at the passing of Dolly H. R. Whitham, who died on April 21, 2010 at Windham Hospital. She was great lady who was very active in our community for the past 55 years, including service as Republican Registrar of Voters and as a member if the Mansfield Board of Education. Her civic activities included the League of Women Voters, the Women's Club of Storrs and the Mansfield Historical Society. She also served as a town constable for many years. My condolences to Dolly's family and loved ones, we will certainly miss her wit and counsel, and we sincerely appreciate her many contributions to the town.

Upcoming Meetings*

- Traffic Authority, April 27, 2010, 10:30 AM, Conference Room B, Audrey P. Beck Municipal Building
- Regulatory Review Committee, April 27, 2010, 2:00 PM, Conference Room C, Audrey P. Beck Municipal Building
- Mansfield Advisory Committee for Persons with Disabilities, April 27, 2010, Conference Room B, Audrey P. Beck Municipal Building
- Mansfield Board of Education, April 27, 2010, 7:30 PM, Council Chambers, Audrey P. Beck Municipal Building
- Four Corners Water and Sewer Advisory Committee, April 27, 2010, 7:30 PM, Conference Room B, Audrey P. Beck Municipal Building
- Sustainability Committee, April 29, 2010, 7:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- IWA/Planning and Zoning Commission, May 3, 2010, 7:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Beautification Committee, May 3, 2010, 7:00 PM, Conference Room C, Audrey P. Beck Municipal Building
- Communications Advisory Committee, May 3, 2010, 7:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Agriculture Committee, May 4, 2010, 7:30 PM, Conference Room B, Audrey P. Beck Municipal Building
- Mansfield Advocates for Children, May 5, 2010, 5:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Mansfield Downtown Partnership Board of Directors, May 6, 2010, 4:00 PM, Downtown Partnership Office
- Ethics Board, May 6, 2010, 4:30 PM, Conference Room B, Audrey P. Beck Municipal Building
- Community Quality of Life Committee, May 6, 2010, 7:30 PM, Council Chambers, Audrey P. Beck Municipal Building
- Solid Waste Advisory Committee, May 6, 2010, 7:30 PM, Conference Room B, Audrey P. Beck Municipal Building

- Housing Code Board of Appeals, May 10, 2010, 5:00 PM, Council Chambers, Audrey P. Beck Municipal Building
- Finance Committee, May 10, 2010, 6:00 PM, Conference Room B, Audrey P. Beck Municipal Building
- Town Council, May 10, 2010, 7:30 PM, Council Chambers, Audrey P. Beck Municipal Building

**Meeting dates/times are subject to change. Please view the Town Calendar or contact the Town Clerk's Office at 429-3302 for a complete and up-to-date listing of committee meetings.*